

## **MINUTES**

### **UTAH SOCIAL WORK LICENSING BOARD MEETING**

**December 14, 2006**

**Room 474 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building**

**CONVENED:** 9:16 A.M.

**ADJOURNED:** 3:57 P.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Tammer M. Attallah  
Dennis R. Frandsen  
Patsy J. Smith  
Jean V. McAfee  
Steven Fisher, Chairperson  
Mark de St. Aubin

**Board Members Absent:**

Joyce Stowe-St. Clair

**Guests:**

Craig Jackson, Current Division Director  
David Stanley, Incoming Division Director  
Dee Thorell, Investigator  
Mitchell Jones, AG  
Sarah Hoffman, Licensing Specialist  
Cheryl Rudy, Licensing Specialist

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Read and approve the October 12, 2006 Minutes.

Mr. Frandsen made a motion to approve the minutes with minor revisions. Ms. Smith seconded the motion.  
**The Board vote was unanimous.**

##### **APPOINTMENTS:**

**10:00 A.M.**

Sheri Williams, Probationary Interview

Ms. Williams met for her probationary interview.

Mr. Attallah, the new Board member, was introduced to Ms. Williams.

Ms. McAfee conducted the interview.

**Ms. McAfee notified Ms. Williams that the Division received the required report from Sylvia Anderson and reported that Ms. Williams takes initiative to improve her contribution to the agency by accepting additional duties as needed.**

**She stated that the report from the therapist, Susan Culbertson, was also received and documents Ms. Williams is working hard on her issues in therapy.**

**Ms. McAfee reported that all Ms. Williams drug tests have been negative.**

**She asked Ms. Williams if she had any updates to share with the Board.**

Ms. Williams reported that she has been working on her grief issues. She shared that she has been going out to the cemetery to the site of her friend who passed away and is now able to remember many of the fun things they did together and some of the lessons he taught her. She shared that her niece and nephew are currently visiting and she has been busy with skiing and snow boarding. Ms. Williams remarked that she is now able to face events and does not use distracters to move away from her pain.

**Mr. de St. Aubin asked if she is saying that now the pain is not as acute and is now a pain she can live with and is able now to memorialize her friend who passed away.**

Ms. Williams responded that Mr. de St. Aubin is correct and the pain is now much less overwhelming.

**Ms. Smith asked if there are currently any challenges that would be a trigger for her.**

Ms. Williams responded that she did have a friend in Iraq and it was a stressful time for her while he was there. She stated that he has returned and is preparing to retire and her stress level has gone down. Ms.

Williams stated that she tries to be very careful not to put herself in dangerous situations.

**Mr. de St. Aubin commented that the University of Utah offers a holiday grief program that Ms. Williams may check on if she is interested.**

**Ms. Taxin remarked that she and the Board are aware that holidays are difficult for Ms. Williams. She requested Ms. Williams to call her January 2, 2007 just to check in to let Ms. Taxin know that that the holiday has gone well for her or she has had some challenges and then explain.**

**Mr. de St. Aubin commented that grief is a human condition and everyone has experience with some grief and some joy at holiday times. He stated that he has empathy for Ms. Williams as he also has the grief and joy at holiday times.**

**An appointment was made for Ms. Williams to meet again March 1, 2007 if her report to Ms. Taxin on January 2, 2007 is positive in that she is coping well over the holidays. If Ms. Williams has issues to discuss with the Board she will meet January 4, 2007.**

**10:20 A.M.**

Tamera McArthur Neilson, Probationary Interview

Ms. Neilson met for her probationary interview.

David Stanley, incoming Division Director, and Mr. Attallah, the new Board member, were introduced to Ms. Neilson.

Ms. Smith conducted the interview.

**Ms. Smith requested Ms. Neilson to update the Board regarding her employment and supervisors.**

Ms. Neilson responded that she does have a new supervisor. She stated that Janis McKay has strong, firm boundaries and clinical knowledge that has helped her but due to her employment with a competitor agency it was determined that it would be best if she supported Ms. Neilson but that Ari Mendez, who is more available and has no employment conflict, supervise Ms. Neilson.

Ms. Neilson reported that Ari Mendez is now her supervisor. She stated that he worked at the same hospital with her for several years and is now working at the community center.

**Mr. de St. Aubin remarked that there was some question regarding reimbursement for Ms. McKay at the last meeting. He asked what arrangements have been made with Mr. Mendez for supervision reimbursement.**

Ms. Neilson responded that Mr. Mendez volunteers as her supervisor at her agency. She stated that she and Mr. Mendez meet once or twice a week he has attended some home visits with her and reviewed her documentation. She stated that every supervisor has different strengths for her to learn and Mr. Mendez stresses the boundary issues.

**Ms. Smith reminded Ms. Neilson that when she changes supervisors she must notify Ms. Taxin for prior approval.**

**Ms. Taxin confirmed that she must receive notification of all changes in employment and/or supervision as changes are not automatic and must be approved. She stated that Ms. Neilson must submit a copy of Mr. Mendez resume for her to review before she can give approval of him to supervise Ms. Neilson.**

Ms. Neilson responded that she was not aware that she needed to notify the Division of any changes. She explained that she has met with Mr. Mendez for some time and he and Ms. McKay worked with her on the action plan.

**Ms. Taxin stated that the process for Ms. Neilson has been confusing as she has had several changes. She stated that Ms. McKay needs to submit a letter regarding termination of supervision and transferring the supervision responsibilities to Mr. Mendez. Ms. Taxin stated that the Board and Division need to be sure Ms. Neilson is receiving proper supervision. She recommended Ms. Neilson fax the letter from Ms. McKay and resume from**

**Mr. Mendez to her to review. Ms. Taxin stated that she will respond to Ms. Neilson regarding approval of Mr. Mendez as her supervisor.**

**Ms. Taxin asked if Ms. Neilson has different responsibilities in her new employment.**

Ms. Neilson responded that she is still working with clients that have death and dying issues. She stated that she is now conducting a bereavement support group.

Ms. Neilson stated that the Board asked her at the last meeting what steps she is taking to safeguard herself so that she does not find herself in a similar situation as she was in when she started meeting with the Board.

Ms. Neilson explained that she does have some home patients and she makes an appointment to go to the home when the caregiver will also be at the home. She stated that she tries to be more aware of her surroundings when she is in a home and she takes a co-worker or a clergy with her to the visit if no one else is in the home. Ms. Neilson stated that she tries to make the visit about the client and the needs of the client and to set and keep very firm boundaries. She stated that she still consults with Ms. McKay, if she thinks she needs another opinion. Ms. Neilson commented that she is self critical and analytical and tries to do what is best for the client.

Ms. Neilson stated that she likes her position with hospice. She stated that it is more flexible and she is able to work around the scheduled events for her daughter.

**Mr. de St. Aubin asked if Ms. Neilson is on call at hospice.**

Ms. Neilson responded that she is on call on week-ends but has not yet been called. She explained that she does not receive a call every time a patient expires as she talks with the caregiver and family regarding the steps to take if the patient expires.

**Mr. de St. Aubin commented Odyssey House in**

**Salt Lake area has been purchased by another company and asked if Ms. Neilson's agency has also been purchased by the same organization.**

Ms. Neilson responded that her agency has not been purchased and they are now the only Odyssey organization in Utah.

**Ms. Smith commented that the Board had 3 issues at the last meeting with Ms. Neilson. She stated that the first issue was to obtain a written statement from Chris Stoss regarding having read the Stipulation and Order and a willingness to assist her in completing her probation successfully. Ms. Smith asked Ms. Neilson if she had completed this assignment.**

Ms. Neilson responded that Mr. Stoss was unable to supervise her but she does work with him as a colleague.

**Ms. Smith asked if there was a conflict between Southwest and Odyssey as Mr. Mendez works for Southwest.**

Ms. Neilson responded that Mr. Mendez does work for Southwest and discussed with them the situation of supervising. She stated that Southwest agreed there would be no conflict and Mr. Mendez is able to supervise.

**Mr. Fisher asked if Ms. Neilson is currently seeing her therapist and, if she is in therapy, what issues are being discussed.**

Ms. Neilson responded that she is still in therapy with Sally Burgin, LCSW. She stated that they always discuss boundaries, transference and counter-transference. She stated that they discuss making sure her issues are not transferred to the client. Ms. Neilson stated that she has an open relationship with Ms. Burgin and is able to discuss her issues openly with Ms. Burgin.

**Mr. Fisher commented that it is refreshing to hear how aware Ms. Neilson is becoming with the issues of transference and counter-transference.**

**Mr. de St. Aubin asked Ms. Neilson to share what ways she feels challenged in regard to boundary issues with Hospice.**

Ms. Neilson responded that it is challenging to be involved with someone who is dying. She stated that the relationship becomes intimate as the families bond with the therapist and are grateful for the therapist being with them. She stated that she has to keep the boundaries of client and therapist and decline invitations to dinner, etc. Ms. Neilson stated that she is active in her faith and people in her church association also refer her services. She stated that if the client is someone she has had a previous relationship with she does not do therapy with them.

**Ms. Smith stated that Ms. Neilson was requested at the last meeting for a statement from Mr. Stoss and the Division has not received that statement.**

**Ms. Taxin responded that a statement from Mr. Stoss is no longer pertinent as Ms. Neilson has changed supervisors.**

**Ms. Taxin suggested Ms. Neilson fax the information requested as soon as possible in order for her to review and approve or deny Mr. Mendez as Ms. Neilson's supervisor.**

**An appointment was made for Ms. Neilson to meet again March 1, 2007.**

FYI

**Ms. Smith excused herself from the meeting due to a conflict of interest with the next appointment.**

**10:40 A.M.**

Robert Matotek, Probationary Interview

Mr. Matotek met for his probationary interview.

Ms. Taxin introduced the new Board member, Mr. Attallah, and David Stanley, the incoming Division Director.

**Mr. Frandsen conducted the interview.**

**Mr. Frandsen asked Mr. Matotek if he is currently working with Edd Hill.**

Mr. Matotek responded that he has not worked with Mr. Hill since January 2006.

**Mr. Frandsen asked Mr. Matotek how many hours of CE have been completed and how many remaining hours he has to complete.**

Mr. Matotek responded that he has completed 19 hours and has 7 hours to complete. He stated that he has a registration form to complete to attend the NASW ethic course.

**Ms. Taxin stated that Mr. Matotek will need to submit the documentation noting completion of the course to receive the credit.**

**Ms. Taxin stated that the Board reviewed Mr. Matotek's supervision reports and noted that he is doing well. She asked if he had anything positive to share or any concerns that he would like to discuss.**

Mr. Matotek stated that he is working a second job at Lakeview Hospital in Bountiful and discovered he was working under an LCSW supervisor who had not been licensed the required 2 years to supervise. He stated that he asked Shannon Seibt to supervisor as she meets the requirements.

**Ms. Taxin reminded Mr. Matotek to be sure his supervisor for his second job submits a statement regarding having read the Memorandum of Understanding, MOU, and that she agrees to assist him in being successful in his probation. Ms. Taxin stated that the supervisor must also submit the written report.**

**Mr. Frandsen notified the Board that the last report was received November 6, 2006. Mr. Frandsen asked if another report is currently due.**

**Ms. Taxin and Mr. Matotek responded that the reports are now due on a quarterly basis.**

**Ms. Taxin stated that the report indicates that Mr. Matotek is on track with the MOU.**



Mr. Matotek stated that everyone should be held accountable for their actions and he has shared his experience with the Ogden Regional fulltime inmates he works with. He stated that it has been difficult to share his experience but he wants others to know that he is held accountable just as they are.

**Mr. Frandsen asked Mr. Matotek what his focus is at the Ogden Regional facility.**

Mr. Matotek responded that the focus is mainly on substance abuse.

**Mr. de St. Aubin asked Mr. Matotek what he would say to the new graduates about licensure and supervision.**

Mr. Matotek responded that he would recommend new graduates read and be familiar with the Utah Laws and Rules and stay current with them. He stated that he tries to educate people in the field to be aware of what the current licensure and supervision requirements are and of any changes.

**Mr. Frandsen commented that it is good to have someone remind others to read and be current.**

**Ms. Taxin reminded Mr. Matotek to submit the documentation of the CE upon completion.**

**An appointment was made for Mr. Matotek to meet again March 1, 2007.**

FYI

**11:00 A.M.**

Jennie Gwilliam, Probationary Interview

**Ms. Smith rejoined the meeting.**

Ms. Gwilliam met for her probationary interview.

Mr. Fisher introduced the new Board member, Mr. Attallah.

Ms. Taxin introduced Mr. Stanley, the incoming Division Director.

Mr. Fisher conducted the interview.

**Mr. Fisher stated that all Ms. Gwilliam's reports**

**have been received. He stated that the reports are more detailed and give a better explanation of what Ms. Gwilliam is doing. Mr. Fisher stated that the reports indicate Ms. Gwilliam is doing well.**

Ms. Gwilliam responded that she is doing well and is anxious to complete her probation and move forward in her life. She stated that her heart is in doing the work that she is doing in her Ph.D. program. Ms. Gwilliam stated that she would like to open another agency at some point in time but for now she has been offered a position to be an adjunct professor next year in the holistic therapies down in St. George. She explained that her Ph.D. program is in holistic therapies. She stated that she will be attending a conference dealing with diagnosing and assessing disorders in mental health.

**Mr. Attallah asked how much of her Ph.D. research is in alternative areas.**

Ms. Gwilliam responded that her program is very broad in developing the mind and repairing neural damage.

**Mr. de St. Aubin asked from what University Ms. Gwilliam is completing her Ph.D.**

Ms. Gwilliam responded that she is attending the Santa Barbara Graduate Institute in California. She explained that they have a Master's program and a Ph.D. program.

**Ms. Taxin asked if Ms. Gwilliam's program is APA accredited.**

Ms. Gwilliam responded that she did not know as she is only interested in working with her LCSW license and not obtaining a higher licensure.

**Mr. Frandsen stated that she talked with the Board about the use of Heart Math at the June 8, 2006 meeting. Mr. Frandsen asked if she is still using the Heart Math and how it is working with the adolescent population she works with.**

Ms. Gwilliam explained that she is still using the

Heart Math program. She stated that the equipment is inexpensive and gives an immediate printout of the heart waves which make it easy to identify stress and the effects of the stress on the heart. She stated that she does not have the time to use it extensively.

**Ms. Taxin stated that it is good to expand her horizons. She stated that the reports indicate Ms. Gwilliam is doing a lot of other types of therapies. Ms. Taxin asked if Ms. Gwilliam learns alternative types of therapies, tries them, uses some types and drops some types.**

Ms. Gwilliam responded that there is some overlap of therapies and different clients respond to different types. She stated that it is good to be able to use different types of therapies to help the clients. She explained that she uses the Heart Math to show what the heart rate is doing, the tapping to get in touch with emotions, showing the client where to touch or rub to be in touch in their feelings and the more generally accepted types of therapy. Ms. Gwilliam explained that she only touches the client to show them where to touch or rub and for the tapping.

**Mr. de St. Aubin asked Ms. Gwilliam to explain to the Board about using her massage skills and how she incorporates massage in her therapy.**

Ms. Gwilliam explained that she teaches the client meditation techniques but there is no massage in her therapy sessions. She stated that she has given a few massages to clients who are not mental health therapy clients but does not have the time or desire to do massage's all day.

**Mr. de St. Aubin asked Ms. Gwilliam to explain what part of mental health therapy she is incorporating when she does massages.**

Ms. Gwilliam stated that she keeps the two professions separate.

**Ms. Taxin asked if Ms. Gwilliam refers her massage clients to other therapists if they are seeking mental health therapy.**

Ms. Gwilliam responded that she has referred massage clients to mental health therapists and has done some processing herself with some massage clients.

**Mr. Attallah commented that he admires Ms. Gwilliam's experimenting and willingness to try other types of mental health therapy. He cautioned Ms. Gwilliam to be aware of being a jack of all trades and a master of none and to develop specific mental health therapy techniques to a point of being a master.**

**Ms. Taxin cautioned Ms. Gwilliam to be very careful with her massage clients and processing with them. She stated that a client may feel harmed by Ms. Gwilliam and Ms. Gwilliam would also be harmed if a complaint came in. She recommended Ms. Gwilliam refer all massage clients who also want mental health therapy to other therapists as it is not appropriate for Ms. Gwilliam to conduct both with a client.**

**Mr. de St. Aubin asked how comfortable Ms. Gwilliam is in following the recommendations of Mr. Attallah and Ms. Taxin. He stated that the guidelines for massage are different than the contract for a trauma client who is in need of mental health therapy.**

Ms. Gwilliam responded that she has only conducted massage and mental health therapy with very few clients where there was a trust. She stated that she would only do cranial sacral where the client is fully clothed and she would be working on the head. She stated that she can see that the advice is good advice to follow. She stated that it would be too confusing to be both with today's guidelines.

**Mr. Fisher concluded that it appears Ms. Gwilliam is aware of potential problems.**

**Ms. Taxin commented that Ms. Gwilliam may be aware but should also think about herself and how a complaint would affect her. She stated that there is a very fine line.**

**An appointment was made for Ms. Gwilliam to**

**meet again March 1, 2007.**

**11:20 A.M.**

Gregg Lott, Probationary Interview

Mr. Lott met for his probationary interview.

Mr. Attallah introduced himself as the new Board member.

Mr. Attallah conducted the interview.

**Mr. Attallah stated that the report from Lane Cannon was received last night and he refers to changing the supervision style to a more probing style. Mr. Attallah asked Mr. Lott to explain.**

Mr. Lott responded that he and Mr. Cannon are focusing more on treatment. He stated that most supervisors and supervisees are focused on becoming better clinicians. He stated that there are now more issues surrounding confidentiality and how the clinician sees their work with the client.

**Mr. de St. Aubin asked what has prompted the change.**

Mr. Lott explained that his meetings with the Board, listening in conferences he has attended and getting a broader perspective of the therapist role and client role have prompted the change.

**Mr. de St. Aubin commented that it appears that the approach is a risk management issue for the agency to cover their assets and appears to be narrower than a clinical practice.**

Mr. Lott responded that they are still exploring clinical practice but recommending the therapist touch on specific things at each therapy session. He listed the following as some of the areas: timeliness, past history, concerns that he may have, separating the personal life, explore therapy for some issues, the personal situation, the work setting, the agency, BCI reports, confidentiality and then the clinical component.

**Mr. Attallah asked if there are changes in some of the duties and roles at the agency.**

Mr. Lott responded that he has had the responsibility of overseeing 15 or more therapists. He explained that he will now be going to one facility, the Ox Bow facility, where he will be the clinical director and admissions director. He stated that when the clinic is full he will hire another LCSW to assist him as a therapist. Mr. Lott explained that Ox Bow will be for minor sex offenders in San Pete County. He stated that the facility will open in 12 days.

**Mr. Frandsen asked if clients are referred to the agency.**

Mr. Lott responded that clients are referred and may also apply through the internet. He stated that Ox Bow will be a private market where parents pay more for their children to be there and will expect to be highly involved in the therapy of their children. He stated that the parents will also expect their children to be receiving an education while they are at Ox Bow. Mr. Lott explained that the residents will live at the facility and there will be 3 shifts a day. He stated that there is a risk for him as he is an owner. Mr. Lott stated that he is hopeful that the facility will be successful.

**Mr. Attallah stated that Mr. Lott was encouraged at the last meeting to consider being a supervisor again and from the reports it appears that he is now supervising one person.**

Mr. Lott responded that he is supervising one person. He stated that he is familiar with the person and his background and agreed to supervise. Mr. Lott explained that the supervisee is receiving double supervision as he is working in a group home with another supervisor and working with Mr. Lott as the supervisor at Ascent Pine Creek Ranch.

**Ms. Taxin commented that she would like to reiterate her comments from Mr. Lott's last meeting by saying Mr. Lott has a lot to offer as a supervisor and he should share his knowledge while supervising and that it would be a detriment to the profession if he choose not to supervise.**

**Ms. Taxin asked where Mr. Lott is in completing his requirement of CE.**

Mr. Lott responded that when he renewed he was notified that his CE was being audited and he sent all his documentation in to be reviewed.

**Ms. McCall pulled the audit form and CE certificates for the Board.**

**Ms. Taxin commented that the goal of the CE requirement is for him to learn and implement into his practice what he has learned.**

**Ms. Taxin and the Board reviewed the CE documentation and determined Mr. Lott has fully met the CE requirement.**

**Mr. Frandsen made a motion to accept Mr. Lott's CE as meeting his probationary requirement.**

**Ms. McAfee seconded the motion.**

**The Board vote was unanimous.**

**An appointment was made for Mr. Lott to meet again May 10, 2007.**

**Ms. Taxin commented that Mr. Lott meets again March 1, 2007 and his probation is scheduled to terminate in May 2007. She asked Mr. Lott if he would be prepared to explain the contrast between how he supervised prior to his probation and how he is currently supervising and how he and the supervisee benefit from the supervision. She stated that Mr. Cannon should submit one more report that should be received 2 weeks prior to the Board meeting in order to prepare Mr. Lott's file for the Board to review. Ms. Taxin asked that Mr. Cannon's report include how Mr. Lott is doing, what he has learned, why the Board should terminate probation and his own recommendation regarding termination of probation.**

**Mr. Fisher stated that the normal quarterly report should still be submitted in April 2007 for the Board to review at the March 1, 2007 meeting.**

**12:00 P.M. to 1:00 P.M.**

**1:00 P.M.**

Henry McCloyn, Probationary Interview

**LUNCH BREAK**

Mr. McCloyn met for his probationary interview.

Ms. Taxin introduced Mr. Attallah, new Board member.

Ms. Taxin conducted the interview.

**Ms. Taxin commented that Mr. McCloyn met in November for a hearing. She asked if Mr. McCloyn would like to discuss anything with the Board regarding the hearing and if he would catch the Board up on what he is currently doing.**

Mr. McCloyn responded that he did not discuss with his employer or his supervisor his relationship with the former client and part of the new Stipulation and Order is for him to have no relationship or contact with the individual, which he is will to adhere to. He reported that the former client has continued to call him and he has not responded.

Mr. McCloyn explained that he was called into his employer's office the day after the hearing and informed that they were of the opinion that he was not very honest in regard to his probation and the on-going investigation. He stated that the employer read the new Stipulation and Order and then terminated his employment.

**Ms. Taxin asked if Mr. McCloyn would like to share more specifics regarding his termination or would he rather she read the letter that was sent to the Division.**

Mr. McCloyn stated that the clinical director and his supervisor, Linda Rhees, and the Cottonwood Treatment Center informed him that they were not aware of the terms of his probation. He stated that they told him they had read his original Stipulation and Order and Ms. Rhees signed that she had read it but neither Ms. Rhees nor the Cottonwood Treatment Center director had read the Stipulation and Order. He stated that he was informed that they thought he was



on probation for assault. Mr. McCloyn reported that he was informed that he could not work with youth at the treatment center with an assault on his record. He explained that he went through the court system and had the charge changed so that he able to work at the treatment center with youth. Mr. McCloyn stated that he explained it to the center Director and Ms. Rhees but somehow it became confusing to them. He stated that he talked with the Human Resources person and she said she knew why Mr. McCloyn was on probation.

**Ms. Taxin commented that when Mr. McCloyn met with Ms. Rhees he had discussions with her. She asked why Mr. McCloyn did not clear up the confusion during that time. Ms. Taxin stated that Mr. McCloyn should have taken responsibility to clear up the misunderstanding with Ms. Rhees and the agency.**

Mr. McCloyn responded that Ms. Rhees never asked about the assault or the DUI. He stated that they did talk about issues at the agency and his caseload. He stated that he gave her a copy of the Stipulation and Order but she never brought up the issue and neither did he.

**Mr. Frandsen asked if the Administrator was in the termination meeting with Mr. McCloyn and how did the agency know he had assault charges.**

Mr. McCloyn responded that the agency that issues the license on the business came in and said Cottonwood Treatment Center could not have people who have had assault charges working in the center with youth.

**Ms. Taxin read the termination of supervision letter to the Board.**

Mr. McCloyn stated that he has not contacted Cottonwood Treatment Center or talked with anyone at the center since the termination of his employment. He stated that he has had phone calls from the therapists regarding treatment of clients.

**Ms. Taxin asked if the contact was only on a professional basis.**

Mr. McCloyn responded that it was only on a professional basis.

**Ms. Taxin explained that Mr. McCloyn gave the original Stipulation and Order to his employer when he was hired and after the hearing in November she called Ms. Rhees and invited her to attend this meeting with Mr. McCloyn. She explained that there was a lot of confusion about why Mr. McCloyn was on probation and she thought that meeting with the Board might help clear some areas for Ms. Rhees. Ms. Taxin stated that Mr. McCloyn went back to work after the hearing and should have gone to Ms. Rhees, given her a copy of the new Stipulation and Order and talked with her regarding the issues and requirements.**

**Mr. de St. Aubin commented that the new Stipulation and Order would have articulated the reasons for probation and the requirements.**

**Ms. Taxin agreed. She stated that she notified the agency when she called to invite Ms. Rhees to the Board meeting and it was after her discussion with Ms. Rhees that Mr. McCloyn was terminated from his employment.**

**Mr. Attallah asked how long Mr. McCloyn had been supervised by Ms. Rhees.**

Mr. McCloyn responded that she had supervised him for over a year.

**Mr. Attallah stated that he did not understand how Ms. Rhees could think Mr. McCloyn was on probation for assault, which they never discussed the probation during that length of time and Ms. Rhees wrote and signed off on the required reports.**

Mr. McCloyn reported that Ms. Rhees did not really do supervision with him. He stated that she would remind him that his appointment with the Board was coming and ask him to write the report and give it to her to sign. He stated that Ms. Rhees was more concerned with what he was doing in the facility and

his caseload. He stated that the assault, his personal background and the DUI was never discussed.

**Mr. Attallah asked if Ms. Rhees inquired about his status throughout his probation time.**

Mr. McCloyn responded that he did not disclose to Ms. Rhees that he was going to a hearing. He stated that he should have been candid with her and updated her on what was going on.

**Mr. de St. Aubin asked if the quarterly reports submitted for the Board to review were written by Mr. McCloyn and signed by Ms. Rhees.**

Mr. McCloyn responded that Mr. de St. Aubin was correct, the reports were written by him and signed by Ms. Rhees. He stated that Ms. Rhees did not read the reports.

**Ms. Taxin asked Mr. McCloyn what he thinks is the purpose of his probation. She asked if he thought he was to meet to smile and be happy. She asked if Henry knew someone on probation what would he think that person should or would be doing in that probation.**

Mr. McCloyn responded that he would think they should be working on their issues and making some changes. He stated that he does not want to sit before the Board and say he does not have issues because he does have some issues. He stated that he knows that sometimes he does some things without viewing the whole picture and without thinking about what his decisions may cost him. Mr. McCloyn stated that he must make some changes in himself if he is allowed to continue in the Social Work profession.

**Mr. Fisher asked if Mr. McCloyn could identify some of the things that need to be changed.**

Mr. McCloyn responded that he needs stop painting a picture for the Board by coming in smiling. He stated that he needs to be honest with the Board and others and not omit things to make his situation sound and look better than it is.

**Mr. Fisher asked Mr. McCloyn if he knows what drives him to omit information.**

Mr. McCloyn responded that he probably wants to look good in front of the Board.

**Mr. Fisher commented that it was obvious at the hearing that Mr. McCloyn wanted to look good in front of the Board.**

**Ms. Taxin reminded Mr. McCloyn that he was not quite honest when he came to one of his appointments and stated that he was terminated from his position but did not know why.**

Mr. McCloyn responded that he did inform the Board that someone had said he was having a relationship with a current client. He stated that he did inform the Board that he was not having a relationship with a current client.

**Ms. Taxin stated that Mr. McCloyn should have come in to his appointment and openly informed the Board that he messed up. She stated that he should come clean and not be dishonest. She stated the Board is aware of Mr. McCloyn's actions and is perceptive to his dishonesty.**

**Mr. Attallah responded that when he is hearing is the need for Mr. McCloyn to be very transparent with the Board and to be totally open when questions are asked regarding how he is doing and what is going on with him.**

**Mr. Fisher stated that it will be important for Mr. McCloyn to get in touch with his issues in order for the Board to be of help to him in being successful in his probation.**

**Mr. de St. Aubin also commented that the Board needs Mr. McCloyn to be totally honest for the Board to be of help to him.**

**Ms. Taxin informed Mr. McCloyn that he will need to submit a letter and resume from his supervisor and employer when he obtains employment regarding their having read the Stipulation and**

**Order and willingness to supervise and assist him in being successful in his probation. Ms. Taxin stated that if Mr. McCloyn has employment by January, the supervisor will need to meet with the Board on January 4, 2007. She stated that she and the Board are here to give support to him.**

Mr. McCloyn asked if the unemployed time will count toward his probation time.

**Ms. Taxin responded that the time will count if he is employed by the end of January 2007.**

Mr. McCloyn asked if he will still be required to drug test if his probation is not counting.

**Ms. Taxin responded that he could be taken off the drug testing if his probation is on hold but until that point she recommended he continue testing.**

Mr. McCloyn asked if he could volunteer or take a position that did not require a license if he had a supervisor.

**Mr. de St. Aubin responded that the Rules require a CSW to be an employee of an agency which would not allow him to volunteer.**

**Ms. Taxin stated that an agency could hire him as a volunteer but he should submit the proposal to her prior to starting.**

**An appointment was made for Mr. McCloyn to meet again January 4, 2007.**

**1:30 P.M.**

Robert Anderson, Probationary Interview

Dr. Anderson met for his probationary interview.

The new Board member, Mr. Attallah, was introduced to Dr. Anderson.

Ms. Taxin conducted the interview.

**Ms. Taxin explained that Dr. Anderson has made some changes in his practice. She turned the time over to Dr. Anderson to explain.**

Dr. Anderson stated that he closed his practice and retired. He stated that he was paying \$600.00 a month for supervision and that cost with the costs to run his private practice was getting too expensive to run his private practice.

**Ms. Taxin commented that the cost was not the whole reason he closed his practice.**

Dr. Anderson responded that he was also tired of hearing problems of other people. He stated that he is retired and is very content with being retired.

**Mr. Fisher asked how the change went with his clients.**

Dr. Anderson responded that he notified and referred all clients. He stated that most clients were distraught regarding the change. He stated that a letter was sent to each client.

**Ms. Taxin read the letter Dr. Anderson sent. She then asked him how he is storing the files.**

Dr. Anderson stated that the letter notified clients to have their file picked up if they wanted it. He stated that all files that were not picked up were destroyed.

**Ms. Taxin informed Dr. Anderson that the Law requires files to be retained for a period of 10 years after termination of treatment before they are destroyed.**

**Ms. McAfee asked if he was aware of the length of time required to retain files.**

**Ms. Taxin stated that the Division mailed a letter to Dr. Anderson's home and a letter to his work address. She informed Dr. Anderson that the letter sent to the work address was returned with the statement of "no forwarding address". Ms. Taxin stated that there is no way for a former client to contact Dr. Anderson for a copy of their file for a new therapist if there is no forwarding address.**

Dr. Anderson responded that his legal counsel advised him to notify each client to pick up their file by a

specific date and the files that were not picked up by that date he should destroyed.

**Ms. Taxin stated it appeared Dr. Anderson have his patients a week to pick up their file.**

**Ms. Taxin informed the Board that she discussed the following three options regarding Dr.**

**Anderson's license and probation with him:**

- 1. Surrender the license.**
- 2. Request an indefinite suspension as per Dr. Anderson's attorney's request but Ms. Taxin stated that she was unsure of this option.**
- 3. Refer to the Board for an Order to Show Cause for revocation.**

**Ms. Taxin then asked Dr. Anderson if he had a preference regarding his choices.**

Dr. Anderson responded that his attorney advised him not to sign anything today and if any document was given to him he is to have his attorney review it before making any decision.

**Ms. Taxin supported reviewing any documents with his attorney.**

**Ms. Taxin stated that she invited Dr. Anderson to meet with the Board as it was important for him to report to the Board on the closure of his practice.**

**Ms. Taxin stated that she will give Dr. Anderson the surrender document to review with his attorney.**

**Ms. Taxin reviewed the areas Dr. Anderson is out of compliance with his probation as follows:**

- 1. Dr. Anderson has not submitted the required psychosexual assessment.**
- 2. Dr. Anderson closed his practice without notifying her directly.**
- 3. The timeliness of the closure of Dr. Anderson's practice.**
- 4. The notification of clients to pick up their file and the destroying of all unclaimed files.**
- 5. Dr. Anderson did not give clients adequate notice of transition time.**

- 6. Dr. Anderson has not met with his supervisor.**
- 7. Dr. Anderson terminated his relationship with his supervisor without Board or Division approval or notice.**

**Ms. Taxin and Mr. de St. Aubin informed Dr. Anderson that the requirement to retain files is found under Unprofessional Conduct in the Rules, R156-60a-502(20).**

**Ms. Taxin asked when Dr. Anderson would respond to her regarding the options she presented to him.**

Dr. Anderson responded that he will respond after the first of the year as he will be out of town for about 3 weeks.

**Ms. Taxin handed Dr. Anderson a copy of the Surrender of License document and her card and requested a response by January 5, 2007.**

Dr. Anderson left the meeting.

**Mr. Fisher recommended Ms. Taxin contact Dr. Anderson on January 8, 2007 if she has not heard from him and if she gets no response that the Board make the recommendation for an Order to Show Cause be filed.**

**Ms. Taxin agreed to contact him on January 8, 2007 if he has not contacted her. She stated that she will do an Order to Show Cause if he has not decided on one of the recommended options.**

**Mr. Attallah asked what it means to surrender a license.**

**Ms. Taxin explained that the licensee agrees to give up the rights and privileges of licensing and there is no guarantee that they will ever be approved for licensure again.**

**She explained that a suspension would allow the licensee to be licensed at some point in the future with possible probation requirements if they**



**wanted to be licensed again.**

**Mr. de St. Aubin made a motion that if Mr. Anderson does not agree to sign the Surrender of License document by Friday, January 5, 2007, Ms. Taxin should start the process on an Order to Show Cause.**

**Ms. Smith seconded the motion.**

**The Board vote was unanimous.**

## **DISCUSSION ITEMS:**

### Review Social Work Rules

Ms. Taxin informed the Board that she and Judi Jensen, AG, reviewed the Mental Health Practice Act and the Social Work Rules and did a re-write of the Rules for better clarification. She stated that she tried to incorporate the requested information from the last 6 years of discussion. Ms. Taxin stated that there are a few areas that need to be refined and moved around and would like to make those changes before she distributes a copy for the Board to review.

Ms. Taxin explained that there have been concerns regarding supervised practice, what is meant by a practice methods course and Certified Social Workers owning their business and hiring their supervisor. She stated that she has tried to address these issues for clarity.

**Mr. de St. Aubin asked if the draft could be reviewed prior to Board discussion.**

Ms. Taxin responded that the draft will be sent out prior to discussion for the Board to review.

### Report from Patsy Smith on the ASWB Conference

Ms. Smith reported on her attendance at the ASWB Conference.

She stated that ASWB approved Prince Edward Island to be a member of ASWB.

She reported that she talked with delegates from Louisiana and Mississippi. She stated that she was informed that Louisiana allows a person to practice social work for 160 days before requiring them to be

licensed and Mississippi allows up to 90 days of practice before requiring licensure.

Ms. Smith reported that she voted for those individuals that she and Ms. Taxin discussed. She stated that all candidates were well qualified.

She reported that a candidate from Canada voiced an objection that Canada is part of ASWB and there is no one from Canada on the ASWB Board.

Ms. Smith reported that Utah is 6<sup>th</sup> highest Nationally for having disciplinary actions.

She concluded that it was an informative conference.

**Board members thanked Ms. Smith for attending and reporting.**

FYI

Ms. Taxin explained that Sandie Lynne Johnson surrendered her license. **No Board action was taken.**

2007 Board Meeting Schedule

**The Board noted the following dates for the 2007 Board meeting schedule: January 4, February 1, March 1, April 12, May 10, June 7, July 12, August 2, September 6, October 4, November 1 and December 6, 2007.**

FYI

Craig Jackson, Division Director, notified the Board that he will be retiring from the Division at the end of December 2006 and this will be the last meeting he will be attending with the Social Work Licensing Board.

Mr. Jackson introduced David Stanley who will be taking over as the Division Director.

Mr. Jackson requested each Board member to introduce themselves and give a short background.

**Board members introduced themselves.**

Ms. Taxin explained to Mr. Stanley that today's meeting will be primarily to conduct probationary interviews. She stated that the agenda discussion follows but the Board will move items when necessary to fill in and be more efficient.

**Board members expressed their thanks to Mr. Jackson for the way he has conducted the business of the Division while he has been with the Division and welcomed Mr. Stanley.**

## **CORRESPONDENCE:**

### ASWB Correspondence

The Board reviewed the following ASWB correspondence:

1. Association News, October 2006. **No Board action taken.**
2. Information regarding Application for membership by the Prince Edward Island Social Work Registration Board. **No Board action taken.**
3. Association Appointments to the Board of Directors. **The Board noted the information.**

Ms. Taxin reminded the Board of the request from ASWB for Utah to pre-approve applicants to sit for the examinations. She reported that she will be contacting ASWB to report that we will be unable to pre-approve applicants at this time due to the large amount of applications that would have to be pending until the examinations are completed.

**The Board thanked Ms. Taxin for the update.**

### Bonnie L. Peters and Paul M. Ricks Letters

The Board reviewed Ms. Peters and Mr. Ricks letters regarding approval for clinical supervision at the Family Support Center.

Ms. Taxin explained that the clinical director at the Family Support Center left and Ms. Peters submitted a request to supervise 6 people until another LCSW was hired. She stated that Mr. Ricks, LCSW, has been hired and is now requesting permission to supervise five CSW's and one CSW Intern. Ms. Taxin explained that one CSW and the CSW Intern are full time employees and there are 4 CSW's that are part time employers. She stated that Mr. Ricks does not currently have a case load but would be doing 10 hours a week of mental health therapy in the future.

Ms. Taxin asked if the supervision would be quality

with that many licensees being supervised by one supervisor.

**Mr. Attallah commented that those first years under supervision are critical for the CSW to learn how to be good LCSW clinicians. He stated that these people are diagnosing clients. Mr. Attallah voiced concern that the quality gets diluted when the supervisor has too many to supervise.**

**Mr. de St. Aubin commented that four part time people would equal two full time employees.**

**Mr. Fisher stated that, in his opinion, if there are two LCSW's on staff that the supervision should be split up between them so that neither is over burdened.**

**Mr. de St. Aubin made a motion to deny the request to supervise four part time CSW's, one full time CSW and one full time CSW Intern and recommend the supervision be split between the two LCSW's for three full time for each supervisor.**

**Mr. Attallah seconded the motion.**

**The Board vote was unanimous.**

**NEXT MEETING SCHEDULED FOR:**

January 4, 2007

**MEETING ADJOURNED AT:**

3:57 pm

---

Date Approved

---

Chairperson, Utah Social Work Licensing Board

---

Date Approved

---

Bureau Manager, Division of Occupational & Professional Licensing